

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE L. VELESACA and ABRAHAM CARLO :
UZATEGUI NAVARRO, on his own behalf and :
behalf of others similarly situated, : **ORDER SUPPLEMENTING**
Petitioners-Plaintiffs, : **PRELIMINARY INJUNCTION**
: 20 Civ. 1803 (AKH)
-against- :
: THOMAS R. DECKER, in his official capacity as :
New York Field Office Director for U.S. :
Immigration and Customs Enforcement; :
MATTHEW ALBENCE, in his official capacity as :
the Acting Director for U.S. Immigration and :
Customs Enforcement; UNITED STATES :
IMMIGRATION AND CUSTOMS :
ENFORCEMENT; CHAD WOLF, in his official :
capacity as Acting Secretary of the U.S. Department :
of Homeland Security; UNITED STATES :
DEPARTMENT OF HOMELAND SECURITY; :
CARL E. DUBOIS, in his official capacity as the :
Sheriff of Orange County, :
: Respondents-Defendants. :
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ALVIN K. HELLERSTEIN, U.S.D.J.:

On March 31, 2020, I granted Plaintiffs' motion to preliminary enjoin Defendants from applying a policy of detaining without bond all, or nearly all, aliens arrested under 8 U.S.C. § 1226(a), even when the arrestees pose neither a flight risk nor a danger to the community. *See* ECF Nos. 67, 78. Defendants now move for clarification and modification of the order granting the injunction, arguing that the order is both too unspecific and too broad. *See* ECF No. 74.

Defendants' motion is denied. The injunction is not in need of clarification.
Defendants are required to:

1. Apply the injunction to all persons who were detained as of April 10, 2020 pursuant to 8 U.S.C. § 1226(a), except those persons already given an

individualized custody determination by an immigration judge, and expeditiously determine, or redetermine, their custody status consistent with the injunction; and to

2. Report to the court on May 22, 2020, and weekly thereafter, as to the progress made, which shall be steady and expeditious. All custody determinations and redeterminations must be completed by June 5, 2020. If extensions are required, Defendants may make an application therefore, showing good cause.

The Clerk is directed to close the open motion (ECF No. 74). Although this order is final, the Court intends to file an opinion describing its reasoning in fuller detail.

SO ORDERED.

Dated: May 15, 2020
New York, New York

/s/
ALVIN K. HELLERSTEIN
United States District Judge